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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	MARKUS TATUM,
11	Plaintiff, No. CIV S-02-2597 FCD KJM P
12	VS.
13	T.L. ROSARIO, et al.,
14	Defendants. <u>ORDER</u>
15	
16	On January 13, 2006, plaintiff filed a motion asking that he be allowed to
17	withdraw his motion for voluntary dismissal filed on November 4, 2005. Plaintiff's request for
18	voluntary dismissal was granted on December 1, 2005 and this action was closed. Because this
19	action is now closed, and because the court already granted plaintiff's motion for voluntary
20	dismissal, plaintiff's motion arises under Rule 60 of the Federal Rules of Civil Procedure.
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1	The court does not find any cause to re-open any portion of this case under Rule
2	60. Therefore, IT IS HEREBY ORDERED that plaintiff's January 13, 2006 "Motion To
3	Withdraw Plaintiff's Previously Filed Motion For Voluntary Dismissal" is denied.
4	DATED:April 17, 2006
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6	/s/ Frank C. Damrell Jr. FRANK C. DAMRELL JR.
7	United States District Judge
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